

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

Online Payment Solutions Inc.,

Plaintiff

-against-

Svenska Handelsbanken AB,  
Peter Lars Johansson, Nicholas Nolter,  
Eric Nolter aka Aryksin Noble,  
Factor Europe UK Limited, DOES 1-10

Defendants.

Civil Action No. 07 CIV 8692

**DECLARATION OF  
ULF KÖPING-HÖGGÅRD**

I, **Ulf Köping-Höggård**, hereby declare, pursuant to Article 28 U.S.C. § 1746:

1. I am General Counsel of Svenska Handelsbanken AB (publ) ("Svenska"). I have personal knowledge of the matters discussed herein, including through my review of Svenska's regularly updated books and records. I submit this declaration in support of the motion to dismiss on *forum non conveniens* grounds filed by Svenska in the above captioned action.

**Overview of Svenska**

2. Svenska is incorporated in Sweden.
3. Svenska is headquartered in Stockholm, Sweden and based on public filings, Svenska is one of the largest banks in Sweden.
4. The complaint in this action alleges that Svenska is continuing to investigate this matter. It should be noted that Svenska's audit department in Stockholm, Sweden would be the department to conduct investigations relating to account and acquiring activities in Sweden, while Svenska's audit department in London, England would do the same as to account activities occurring in England. Svenska's Swedish audit department maintains its documents in Swedish.



No Plaintiff or Defendant Has A Banking Relationship with Svenska in the United States

5. Svenska has no record of Plaintiff, Online Payment Solutions, Inc. having an account relationship with the bank in the last ten years (i.e., there is no active account relationship, nor is there any evidence of a terminated relationship, as to which the bank would maintain records for ten years).

6. Svenska has no record of ECS World, otherwise known as E Commerce Services U.K. Ltd., having an account relationship with the bank in the last ten years.

7. Svenska has no record of Menzia Trading Limited having an account relationship with the bank in the last ten years.

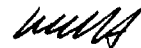
8. Svenska has no record of Defendant Nicholas Nolter having an account relationship with the bank in the last ten years.

9. Svenska has no record of Defendant Eric Nolter (or Aryksin Noble) having an account relationship with the bank in the last ten years.

10. Svenska has no record of Scandorder Inc., Defendant Nolters' alleged company, having an account relationship with the bank in the last ten years.

11. Svenska opened a corporate account and two currency accounts for Scandinavian Pay System AB (previous business name of Scandinavian Net Logistics, "SNL") in Stockholm, Sweden. These account agreements were in Swedish and the currency agreements were expressly set out to be subject to Swedish law. Svenska has a record of Peter Lars Johansson, who according to the Complaint is a Swedish resident, acting as a consultant for SNL.

12. SNL also entered into a card acquiring agreement and supplemental agreements regarding acquiring card transactions on the Internet, including acquiring of transactions in



currencies other than Swedish Krona, with Svenska in Stockholm, Sweden. These agreements were in Swedish.

13. Svenska opened a corporate account for Factor Europe UK Limited ("Factor Europe") at Svenska's London branch. The account agreement is in English and provides that it is subject to English law and banking regulations. Factor Europe did not have a card acquiring agreement with Svenska.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed in Stockholm, Sweden  
On this 18<sup>th</sup> day of December, 2007.

  
Ulf Köping-Höggård